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Approved for Release: 2018/10/02 C02901206

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CI M 76-10183
No. 0755-76
December 17, 1976

MEMORANDUM

SUBJECT: The Human Rights Situation in Argentina, Brazil, Chile, and Uruguay

Summary

The vigorous actions of military governments in the southern cone against real or perceived threats from subversive groups has led to numerous human rights violations. The abrogation of constitutional guarantees protecting individual freedoms has also focused the attention of church groups, international agencies, and the international press on human rights practices in that region.

Chile has been the main target of this criticism. The heavy handed, anti-subversive tactics of the Chilean military government have prompted world-wide condemnation. The bloody struggle between the left and right in Argentina, resulting in over 1,200 deaths this year alone, is causing increasing criticism to be directed at the Videla government. The Uruguayan government has also been widely criticized for its mistreatment of political prisoners. Less attention has been paid to Brazil in recent months even though human rights violations occur there.

As a whole, however, we believe that there has been a perceptible improvement in the human rights practices of the governments in each of the four countries.

This paper was prepared by the Office of Regional and Political Analysis, Western Hemisphere Division of the Central Intelligence Agency. All comments and queries should be directed to

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Argentina

Human rights violations remain a serious problem in Argentina, but the frequency and scale of abuses by the security forces and extra-legal rightist militants has diminished noticeably in the past few months. The military government, moreover, has been somewhat more forthcoming in listing the names of those it detains and has announced its intention to free some 200 political prisoners. It is difficult to judge what proportion of prisoners have now been released or at least accounted for, since the total number of those arrested is not known. International criticism and investigations of the human rights situation in Argentina have generated considerable irritation among the officials charged with putting an end to leftist guerrilla warfare. Though the armed forces have had marked success against the terrorists, the job is still far from complete. If the guerrillas stage renewed provocations, those in charge of counter-terrorist activities will probably push for a return to the brutal roundups of suspected leftist that were relatively common some months ago.

Brazil

Brazilian military security and police forces have operated with virtual autonomy since the military took power in 1964. The Constitution of 1967 and various extra-constitutional decrees have suspended such rights as habeas corpus for persons accused of "political crimes" and given the security forces the authority to detain suspects arbitrarily for several weeks. This latitude in enforcement has inevitably led to individual abuses in human rights. Early this year, however, President Geisel took a strong public stand against torture by removing two military security officials from command positions after two civilians died in military jails. Since January 1976, there have been no reports of death by torture.

There are no reliable figures on the current number of political prisoners in Brazil. In October 1976 Amnesty International reported that some 2,000

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political prisoners were arrested during 1975-76 and that about 700-800 of them were still under detention. US embassy officials in Brasilia believe that both these estimates are exaggerated; they admit, however, that they do not have any firm statistics.

We believe that the human rights situation in Brazil has improved noticeably during the past year, primarily because of President Geisel's actions, the strong interest shown by the Brazilian Catholic Church, and the attention given to the subject in the international press.

Chile

The Pinochet government has demonstrated progress in its human rights practices over the past several months. This judgment is supported by the evidence of some of the junta's most persistent critics and supporters of human rights in Chile, particularly the Catholic Church's Vicariate of Solidarity and the International Committee of the Red Cross. The number of prisoners held without charge has declined sharply; only several remain imprisoned under this authority, so far as we can determine. Most of those being tried or serving sentences are now out on bail, on parole, or under house arrest. The government is also taking steps to commute the sentences of many persons already convicted.

There are no recent cases of known illegal detentions, torture, or killings. Although a number of disappearances remain unsolved, security forces evidently are using greater restraint and adopting more humane practices. As long as internal conditions remain calm, the junta will probably continue the trend toward gradual normalization. Under the broad state-of-siege powers exercised by the military government, however, backsliding is always a distinct possibility.

Uruguay

Since the inception of the military dominated Mendez government in September, Uruguay has grown

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increasingly conscious of its human rights image. Some positive measures have been taken since then but the military's grip on the government has tightened and several civilians have been deprived of political rights. This ambiguous situation is the result of the government's dilemma--it is trying to guarantee human rights and at the same time maintain internal security in a transition period.

Montevideo has moved to ease severe anti-subversion penalties and to limit the application of emergency security measures. About 2,000 persons were being detained on charges of crimes against the state as of late September. A great many of these individuals could be released under the proposed changes in the subversion laws.

The creation of a new civilian court, as well as the restoration of habeas corpus guarantees, is under way. New legislation that would provide greater protection for persons charged with threatening national security also has received the support of military leaders. Nevertheless, at least one former political leader is being held without formal charges, and allegedly he has been tortured.

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